IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.422 OF 2007.

Shri H.B.P.Purshottam Maharaj ...Appellant
Versus
Ramakant Raghunath Sase ...Respondent

Shri M.A.Patil for the Appellant.

CORAM : ABHAY S.OKA, J.
DATED : 18th December, 2007.

P.C.:

1. Heard advocate appearing for the appellant. The appellant is the original plaintiff. The suit for declaration of ownership and perpetual injunction filed by the appellant has been dismissed by the trial Court. The Appellate Court has confirmed the decree. The contention of the appellant-plaintiff in the suit is that though he purchased the suit land on 27th July, 1972 alongwith other lands, in the registered sale deed, the suit land was not incorporated. The contention is that from the year 1970 he has been in possession and enjoyment of the suit land. One of the contentions raised is that he has perfected his title by adverse possession.

2. After having heard submissions of the learned advocate for the appellant, I find that no substantial question of law arises. There are concurrent findings of fact recorded by the Courts below that the entries in the revenue records consistently show that the appellant was never in possession. The appellant has failed to establish his plea of adverse possession. In view of concurrent findings of fact, the Second Appeal is dismissed with no orders as to costs.

JUDGE